

Notice of Allowability

Application No.

09/866,478

Examiner

Cheryl N Hawkins

Applicant(s)

TABUCHI, KUNIHIRO

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on January 21, 2005.
2. ☒ The allowed claim(s) is/are 7 and 8.
3. ☒ The drawings filed on 29 May 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Cheryl N. Hawkins
Cheryl N. Hawkins
February 14, 2005

REASONS FOR ALLOWANCE

1. Claims 7 and 8 are allowed.

2. The following is a statement of reasons for the indication of allowable subject matter:

As to Claim 7, the prior art of record to Majkrzak (US 6,294,038) discloses a label-pasting device (Figures 2a and 2b) comprising an adhesive applier (adhesive coating unit 118) for applying hot-melt pressure-sensitive adhesive (column 14, line 45) to a label-material sheet composed of only label material (label material 104) just before cutting out the labels; a die cutter (die cutting application unit 124) for cutting out labels from the label-material sheet with the hot-melt adhesive; and a label paster (vacuum transfer 128) for pasting the cut-out labels on a packing sheet (temporary carrier material 106); wherein the label-pasting device produces labels without using peeling-off paper (abstract).

The prior art of record to Majkrzak is silent as to the adhesive applier applying the adhesive to an area within the outline of, and smaller than, each cut portion of the sheet material to be cut out by the cutter. The prior art of record to Voy et al. (US 5,351,426) discloses problems regarding adhesive backed die-cut labels bonded to a carrier sheet and wound into a roll, which include the migration of adhesive beyond the peripheries of the labels which causes surfaces within the roll to stick together and interferes with dispensing the labels from the carrier sheet (column 3, line 63 through column 2, line 10). The prior art of record to Voy et al. further discloses that the problems encountered by this adhesive migration can be prevented by utilizing an adhesive applicator (Figure 1, adhesive application station 34, adhesive applicator 41) to

Art Unit: 1734

provide label material with adhesive zones which are inwardly spaced or recessed from the outer periphery of the labels to be die cut (Figure 5, label periphery 115, adhesive zone 105, adhesive zone periphery 106, labels 117); this careful placement of the adhesive zones also prevents the die cutting assembly from becoming jammed or fouled by contact with adhesive (column 10, lines 44-59). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the adhesive applicator of Majkrzak to apply adhesive to an area within the outline of, and smaller than, each cut portion of the sheet material to be cut out by the cutter such as that disclosed by Voy et al. to prevent problems concerning migration of the adhesive past the periphery of the label, as well as to prevent jamming the die cutting assembly with adhesive.

The prior art of record to Majkrzak does not disclose a device wherein the label paster comprises a vacuum-belt unit having a small-diameter roller, a large diameter roller, and a vacuum belt. The prior art of record to Von Hofe (US 2,524,945) discloses a label-pasting device (Figure 1) wherein the label paster comprises a vacuum-belt unit having a roller (roller 23) disposed close to the exit of the cutter (cutting means 25); a roller (roller 10) which is disposed so as to be in contact with the article being labeled, and a vacuum-belt (belt 14) which is laid around the rollers and has many vent holes. However, the prior art of record does not disclose or provide any motivation for one of ordinary skill in the art to modify the apparatus of Majkrzak to include a vacuum belt unit disposed on the exit side of the die cutter such that the vacuum belt unit includes a small-diameter roller disposed close to the exit of the die cutter; a large-diameter roller which is disposed so as to be in contact with the packing sheet and provided with a vacuum mechanism; and a vacuum belt which is laid around the small-diameter roller and the large-diameter roller.

Art Unit: 1734

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

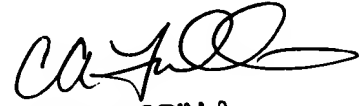
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl N Hawkins whose telephone number is (571) 272-1229. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on (517) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cheryl N. Hawkins
February 16, 2005


CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER
AU 1734